

SAMUEL J. BRENT, EXECUTOR.

---

JULY 7, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

---

MR. BROWN, from the Committee on Claims, submitted the following

REPORT.

[To accompany H. R. 9768.]

The Committee on Claims, having under consideration the bill (H. R. 9768) for the relief of Samuel J. Brent, executor of the will of Frances Brent and administrator de bonis non of the estate of Rev. J. Brent, report it back with the recommendation that it pass when amended as hereinafter indicated.

The records of the Treasury Department show that United States registered 4 per cent bonds of 1907, Nos. 36028, 36241, for \$500 each, and No. 66628, for \$1,000, are inscribed in the name of Rev. J. Brent, and that of the same loan, No. 99034, for \$1,000, is inscribed in the name of Frances Brent, and that the quarterly checks for interest have been regularly sent to said Samuel J. Brent, executor and administrator, up to and including the payment due April 1, 1898.

The Rev. J. Brent died in July, 1880, the owner of the bonds inscribed in his name, and by will leaving them and all his property to his sister, Frances Brent, and he made her his executrix. She fully administered his estate, and under the terms of the will became the owner of all this property as residuary legatee.

After the settlement of the estate of the Rev. J. Brent no one seems to have seen these bonds. They were delivered to Rev. J. Brent by the bank making the purchase for Brent and kept by him until his death, and then they went into the possession of his sister, Frances Brent. The evidence shows her to have been a woman of no knowledge of business and very little knowledge of anything. She thought the money was deposited at Washington and that at stated periods the interest was sent to her. She did not know or understand that there was any evidence of the transaction, except that it was recorded in Washington.

She died from accidental burning, and after her death a most diligent and exhaustive search failed to discover the bonds. There are affidavits on file from people having the most intimate knowledge of her affairs and her daily life and expenditures, and these show that it is impossible that she ever disposed of the bonds.

A caveat was filed in the Treasury Department immediately after the discovery of the loss, thus precluding any title or transfer being made. There is no question upon all the facts but that the bonds belong to and are owned by the estate of Frances Brent, and that by some mischance or accident they have been destroyed.

Under the law governing the register and transfer of bonds no one could acquire any title or right to these bonds, and a reissue ought to be made.

Your committee recommend that the bill be amended by striking out of line 10, page 2, the words "equal to," and inserting in lieu thereof the word "double," so that the bill will provide that the indemnifying bonds given by the beneficiaries shall be in double the amounts, respectively, of the lost bonds, and that when so amended the bill do pass.